

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56553 of 2025

Arising Out of PS. Case No.-778 Year-2023 Thana- MADHEPURA District- Madhepura

Mithun Kumar S/O Laxman Yadav @ Lakshman Yadav R/O Vill.- Rahua,
Ward no. 3, P.S.- Madhepura, Dist.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pooja Prasad, Adv

For the Opposite Party/s : Mr. Kalyan Shankar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-08-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Madhepura (Bharrahi O.P.) P.S. Case No. 778 of 2023 registered for the offences punishable u/s 356, 379, 307 read with Section 34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, the informant along with Md. Adil and Md. Sahabuddin was going to the railway station, in the meantime, three miscreants came and intercepted them and snatched their mobile phones and bag of clothes. Further, miscreants fled away by firing bullet, which passed by touching the chest of the informant.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioner is not named in the F.I.R., and his name has been surfaced on the basis of confessional statement of the co-accused *Prabhakar Kumar*. It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioner and till date no T.I.P. has been conducted for the identification of the petitioner to be involved in the alleged incident. The petitioner has six criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 09.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and also considering the fact that the petitioner is not named in the F.I.R. and till date no T.I.P. has been conducted as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhepura, in connection with Madhepura (Bharrahi O.P.) P.S. Case No. 778 of 2023, with a condition/s:-



(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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